

Image 2827

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
EN9-98-141US2

In Re Application Of: Sebesta et al.

Serial No.
09/526,957

Filing Date
3/16/00

Examiner
Mitchell, J.

Group Art Unit
2827

Title: VARIABLE THICKNESS PADS ON A SUBSTRATE SURFACE

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Restriction with Species Election

in the above identified application.

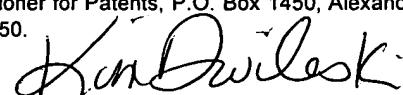
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Dated: 03/02/2004

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DOCKET NO. EN9-98-141US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sebesta *et al.*

Examiner: Mitchell, J.

Serial No.: 09/526,957

Art Unit: 2827

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For: **VARIABLE THICKNESS PADS ON A SUBSTRATE SURFACE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION WITH SPECIES ELECTION

This paper is being filed in response to the Restriction mailed February 13, 2004.

RESPONSE TO RESTRICTION WITH SPECIES ELECTION

In response to the species restriction requirement, Applicants hereby provisionally elect the specie of thick and thin pads on a same surface with a ball connected to the first pad and a second ball connected to a second pad, with traverse. It is respectfully submitted that the search and examination of the species of the entire application could be made without serious burden. See MPEP §803, in which it is stated that “if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions” (emphasis added). It is respectfully submitted that this in policy MPEP §803 should apply to the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

As to the present restriction relating to different species, Applicants respectfully note that claims reading on 1) the specie of thick and thin pads on a same surface and on 2) the specie of thick and thin pads on different surfaces have already been examined through six office actions and the Examiner has already thoroughly searched these species and has already found many references relating to these two species. The mail dates for the six office actions are: 1/19/2001, 7/5/2001, 4/10/2002, 9/17/2002, 2/11/2003, and 8/13/2003. Note that the specie 1) existed in originally submitted claim 8 and is presently incorporated into claim 2. Also note that the specie 2) existed in originally submitted claim 7 and presently exists in claim 7. Therefore, Applicants respectfully contend that the search and examination of the entire application can be made without serious burden with respect to the preceding species 1) and 2).

Similarly, the specie of 3) of a ball connected to the first pad and a second ball connected to a second pad existed in originally submitted claim 9 and presently exists in claim 9. Likewise,

the species of 4) of a wirebond connected to the first pad and a ball connected to a second pad existed in originally submitted claim 12 and presently exists in claim 12. Thus, species 3) and 4) have already been thoroughly searched in relation to the six office actions. Therefore, Applicants respectfully contend that the search and examination of the entire application can be made without serious burden with respect to the preceding species 3) and 4).

Applicants have already invested a substantial amount of time and money through six office actions, and in the interest of efficiency and fairness, Applicants respectfully request that the present restriction requirement relating to different species be withdrawn.

Prompt and favorable examination on the merits is respectfully requested.

Date: 03/07/2004

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